

ORIGINAL

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

U.S. DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FILED

APR 4 2005

CLERK, U.S. DISTRICT COURT
By NT
Deputy

SBC TECHNOLOGY RESOURCES, INC.,)

)
Plaintiff,)

)
vs.)

)
INRANGE TECHNOLOGIES CORP.,)

)
ECLIPSYS CORP., and)

)
RESOURCE BANCSHARES)

)
MORTGAGE GROUP, INC.,)

)
Defendants.)

)
HONORABLE David C. Godbey

)
CIVIL ACTION NO. 3:03-CV-418-N

PLAINTIFF SBC TECHNOLOGY RESOURCES, INC.'S
TRIAL WITNESS LIST

Plaintiff SBC Technology Resources, Inc. now known as SBC Laboratories, Inc., ("SBC Labs") expects to call the following witnesses:

1. Mr. Timothy R. Klos
contact via Brooks Kushman P.C.
1000 Town Center, 22nd Floor
Southfield, MI 48075
(248) 358-4400

SBC Labs expects Mr. Klos to testify regarding his personal background, work experience, and the creation of the invention of the patent-in-suit. Regarding the creation of the invention, SBC Labs expects Mr. Klos to testify regarding the problem the inventors were trying to solve, how their invention solved this problem, potential uses that the inventors saw for their invention and the benefits of the invention. Regarding the problem the inventors tried to solve, SBC Labs expects Mr. Klos to testify that the inventors were trying to address the problems set forth in the '845 patent, including the problem that computers and storage had to be purchased by the same manufacturer, and that storage costs were unnecessarily high. The inventors solved these problems by conceiving of the '845 invention, which can communicate in multiple protocols so that a variety of host computers and storage devices could be used to save cost. The inventors conceived of an embodiment of their invention in which multiple host computers and multiple storage facilities, at least some of which included storage controllers, could be networked via the invention in a format that is now called a storage area network.

Estimated time of direct examination: 3 hours.

2. Dr. Andrew Hospodor
contact via Brooks Kushman P.C.
1000 Town Center, 22nd Floor
Southfield, MI 48075
(248) 358-4400

SBC Labs expects Dr. Hospodor to testify that the FC/9000 and its use in a SAN infringes claims 1 and 34 of the '845 patent. The substance of Dr. Hospodor's expected testimony is described in his Expert Report and in his Declaration in support of SBC Lab's March 23, 2005 Brief in Opposition to Inrange's Motion for Summary Judgment of Non-Infringement.

Estimated time of direct examination: 8 hours.

3. Mr. Irving S. Rappaport
contact via Brooks Kushman P.C.
1000 Town Center, 22nd Floor
Southfield, MI 48075
(248) 358-4400

SBC Labs expects Mr. Rappaport to testify that the appropriate reasonable royalty in this case is 15% of Inrange's sales revenue from FC/9000 storage directors. The substance of Mr. Rappaport's testimony is described in his Expert Report and in the Declaration submitted in support of SBC Lab's March 23, 2005 Opposition to Inrange's Motion *In Limine* to exclude his testimony. SBC Labs expects Mr. Rappaport to testify that Inrange's financial records show that Inrange has approximately \$191 million in sales revenue from FC/9000 storage directors through 2004, that the appropriate reasonable royalty is 15% of sales revenue, and that SBC's damages through 2004 are therefore approximately \$28.7 million. These numbers are based on Inrange's latest sales figures produced in discovery.

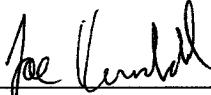
They would, of course, be amended in the event that Inrange has had additional sales of FC/9000 storage directors.

Estimated time of direct examination: 3 hours.

SBC Labs may call the following witnesses:

1. Mr. David M. Hiatt
contact via Brooks Kushman P.C.
1000 Town Center, 22nd Floor
Southfield, MI 48075
(248) 358-4400
2. Mr. Larry Jost
contact via Brooks Kushman P.C.
1000 Town Center, 22nd Floor
Southfield, MI 48075
(248) 358-4400
3. The witnesses listed in SBC's list of deposition designations.
4. Any rebuttal witnesses, or other witnesses whose relevance becomes known based on Inrange's evidence and positions in this case.

Respectfully submitted,

By: 

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Attorneys for Plaintiff SBC Technology Resources

Dated: April 4, 2005

CERTIFICATE OF SERVICE

I certify that I served:

**SBC TECHNOLOGY RESOURCES, INC.'S
TRIAL WITNESS LIST**

on April 4, 2005 by:

mailing (via First-Class mail with exhibits)

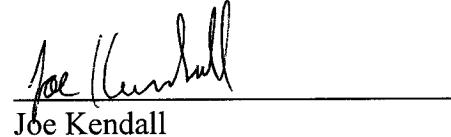
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